IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1788 of 2007

SUKH LAL & ORS.
V/S
D.J.,DOONGARGARH & ORS.

Mr. SL JAIN, for the appellant / petitioner

Date of Order : 8.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner, perused the impugned order.

According to the petitioner, the entire chunk of land was purchased by 36 persons collectively, and there is no legally admissible document of partition of that land between 36 members. In such circumstances, when some of the portion of the land has been got converted by the defendant, and the construction is being raised, when admittedly the conversion order has not been challenged in appropriate forum prescribed under the Land Revenue Act, in my view, in the suit filed by some of the persons, out of 36 without impleading remaining persons, the learned lower Appellate Court has rightly refused the injunction, and the order does not require any interference by this Court in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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